

BOROUGH OF EDGEWOOD
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BOROUGH OF EDGEWOOD
MINUTES OF THE MEETING OF COUNCIL HELD
MONDAY, DECEMBER 6, 2010

Council President Schaefer called the meeting of Borough Council to order at 7:42 PM in Council Chambers.

Borough Manager Cecconi called the roll and the following responded: Mr. Bright, Mr. Bowers, Ms. Waldock, Mr. Wilson, Ms. Gleba, Mr. Hellett, Ms. Schaefer.

Mayor Davin was in the Borough and Solicitor Barry and the Junior Councilperson were also present.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

ITEMS FROM THE FLOOR

AUTHORIZATION TO PAY BILLS

M-1 Ms. Gleba moved to authorize the payment of bills, for goods and services received by the Borough, having been reviewed and approved by the General Government Committee in the amount of \$59,362.75 from the General Fund and \$8,143.15 from the Sewer Fund for a total of \$67,505.90. Second by Mr. Wilson.

DISCUSSION: None.

Upon roll call vote, the following was recorded: Mr. Bright, Mr. Bowers, Ms. Waldock, Mr. Wilson, Ms. Gleba, Mr. Hellett, Ms. Schaefer voted yes. **Motion carried.**

M-2 Mr. Hellett read Ordinance 1034 on Third and Final Reading and asked for its immediate adoption. Second by Ms. Gleba.

BOROUGH OF EDGEWOOD
ALLEGHENY COUNTY, PENNSYLVANIA
ORDINANCE 1034

AN ORDINANCE OF THE BOROUGH OF EDGEWOOD, COUNTY OF ALLEGHENY, COMMONWEALTH OF PENNSYLVANIA, AMENDING, AND REPEALING IN PART, BOROUGH ORDINANCE NO. 986 WHICH PROVIDED FOR A RETIREMENT BENEFIT FOR FAMILIES OF POLICE OFFICERS KILLED-IN-SERVICE

WHEREAS, Section 2 of Borough Ordinance No. 986, enacted on December 15, 2003, pursuant to Act 30 2002, provided for a pension benefit for a full-time Borough Police Officer who was killed in service calculated at 100% of the officer's salary at the time of death; and

WHEREAS, Act 51 of 2009 specifically repealed the killed-in-service benefit which was previously provided pursuant to Act 30 of 2002; and

WHEREAS, Act 51 of 2009 further provides for a new benefit, pursuant to the Emergency and Law Enforcement Personnel Death Benefits Act, 53 P.S. §891 et. seq., in the amount of 100% of the police officer's salary at the time of death, which benefit is paid by the Commonwealth of Pennsylvania; and

WHEREAS, the Borough no longer legally needs to provide the killed-in-service benefit, which was previously required by Act 30 of 2002, since that law has been repealed and replaced by Act 51 of 2009 so that the killed-in-service benefit is provided and paid for by the Commonwealth of Pennsylvania.

NOW, THEREFORE, be it **ORDAINED** and **ENACTED** by Council for the Borough of Edgewood and it is hereby ordained and enacted of the authority of same as follows:

SECTION 1. Section 2 of Borough Ordinance 986 which provided for a retirement benefit for families of participants killed-in-service, is hereby repealed in its entirety, since said benefit has now been replaced with a killed-in-service benefit provided by the Commonwealth of Pennsylvania. The remainder of Borough Ordinance No. 986 shall remain in full force and effect except as modified by this Ordinance.

SECTION 2. Any Ordinance, or any part of any Ordinance, in conflict with this Ordinance is hereby repealed to the extent of such conflict.

ORDAINED AND ENACTED this 6th day of December, 2010.

ATTEST:

BOROUGH OF EDGEWOOD

Warren Cecconi
Borough Manager

Patricia M. Schaefer
President of Council

EXAMINED AND APPROVED by me this 6th day of December, 2010.

Jean O. Davin
Mayor

DISCUSSION: None.

Upon roll call vote, the following was recorded: Mr. Bright, Mr. Bowers, Ms. Waldock, Mr. Wilson, Ms. Gleba, Mr. Hellett, Ms. Schaefer voted yes. **Third Reading Passes.**

M-3 The Chair asks, "Shall the Ordinance Pass?"

Upon roll call vote, the following was recorded: Mr. Bright, Mr. Bowers, Ms. Waldock, Mr. Wilson, Ms. Gleba, Mr. Hellett, Ms. Schaefer voted yes. **Ordinance 1034 Passes.**

M-4 Ms. Gleba moved to approve the Citizen's Bank electronic payment agreement. Second by Mr. Wilson.

DISCUSSION: Mr. Cecconi answered affirmatively to Ms. Schaefer's question of whether the General Government Committee had reviewed this.

An extensive discussion of the charges and fees associated with this ensued and the motion was restated.

M-5 Ms. Gleba moved to approve the Citizen's Bank electronic payment agreement pending approval by Solicitor Barry after further review. Second by Mr. Wilson.

DISCUSSION: None.

Upon roll call vote, the following was recorded: Mr. Bright, Mr. Bowers, Ms. Waldock, Mr. Wilson, Ms. Gleba, Mr. Hellett, Ms. Schaefer voted yes. **Motion carried.**

M-6 Ms. Gleba moved to advertise the proposed 2011 budget for public review. Second by Ms. Waldock.

DISCUSSION: President Schaefer noted that there is no tax increase in the budget due to the hard work of Council and its various committees, as well as staff of the Borough and the dedicated volunteers.

Mr. Barry offered that the budget should be considered by Council by December 20, 2010.

Ms. Schaefer stated that she is working on a budget message that will be attached to the budget.

Upon roll call vote, the following was recorded: Mr. Bright, Mr. Bowers, Ms. Waldock, Mr. Wilson, Ms. Gleba, Mr. Hellett, Ms. Schaefer voted yes. **Motion carried.**

M-7 Ms. Gleba read Ordinance 1035 on First and Second Reading and asked for its immediate adoption. Second by Ms. Waldock.

ORDINANCE 1035

AN ORDINANCE OF THE BOROUGH OF EDGEWOOD, COMMONWEALTH OF PENNSYLVANIA FIXING THE TAX RATE FOR THE FISCAL YEAR 2011

BE IT ORDAINED AND ENACTED, and it is hereby ordained and enacted by the Council of the Borough of Edgewood, Commonwealth of Pennsylvania;

SECTION 1: That a tax be and the same is hereby levied on all real property, within said Borough subject to taxation for Borough purposes for the fiscal year 2011 as follows:

Tax rate for general Borough purposes, the total of eight and one hundred sixty-one thousandths (8.161) mills on each thousand dollars of assessed valuation.

1 mill = \$1.00 for every \$1,000 assessment
8.161 mills = \$8.161 for every \$1,000 assessment

SECTION 2: That any ordinance, or part thereof, conflicting with the provisions of this Ordinance be and the same is hereby repealed insofar as the same is affected by this Ordinance.

ORDAINED AND ENACTED into law this 20th day of December 2010.

ATTEST

Warren Cecconi
Borough Secretary

Patricia M. Schaefer
Council President

EXAMINED AND APPROVED by me this 20th day of December 2010.

Jean O. Davin, Mayor

DISCUSSION: None.

Upon roll call vote, the following was recorded: Mr. Bright, Mr. Bowers, Ms. Waldock, Mr. Wilson, Ms. Gleba, Mr. Hellett, Ms. Schaefer voted yes. **Motion carried.**

M-8 Ms. Gleba read Ordinance 1035 on Second Reading (Title Only) and asked for its immediate adoption. Second by Ms. Waldock.

BOROUGH OF EDGEWOOD

ORDINANCE 1035

AN ORDINANCE OF THE BOROUGH OF EDGEWOOD, COMMONWEALTH OF PENNSYLVANIA FIXING THE TAX RATE FOR THE FISCAL YEAR 2011

DISCUSSION: Mr. Hellett mentioned that this was a tough budget and gave special thanks to the General Government Committee for their hard work.

Upon roll call vote, the following was recorded: Mr. Bright, Mr. Bowers, Ms. Waldock, Mr. Wilson, Ms. Gleba, Mr. Hellett, Ms. Schaefer voted yes. **Second Reading Passes.**

M-9 Ms. Waldock moved to switch codification services to Keystate Publishing – Option 1.

DISCUSSION: Ms. Waldock stated that the price is not to exceed \$325.00 and Keystate will make sure that all ordinances since 2009 will be in the book. Keystate does not review the Borough's ordinances to make sure there are no conflicts.

Mr. Cecconi felt that Keystate was easier to use. He stated that the book is open to the public.

Solicitor Barry noted that the Borough instituted the codification ordinance so that when any ordinance is passed after codification approval, the Borough can make sure it is part of the codification. Mr. Barry also mentioned that the "killed in service" benefit, the pension ordinance and the millage are not part of the Borough's ordinances are not automatically part of the codification.

Upon roll call vote, the following was recorded: Mr. Bright, Mr. Bowers, Ms. Waldock, Mr. Wilson, Ms. Gleba, Mr. Hellett, Ms. Schaefer voted yes. **Motion carried.**

M-10 Mr. Hellett moved to advertise for a Police Chief. Second by Ms. Waldock.

DISCUSSION: None.

Upon roll call vote, the following was recorded: Mr. Bright, Mr. Bowers, Ms. Waldock, Mr. Wilson, Ms. Gleba, Mr. Hellett, Ms. Schaefer voted yes. **Motion carried.**

M-11 Ms. Gleba moved to hold a special public meeting on the proposed 2011 budget on December 20, 2010 from 6:30 to 7:15 PM. Second by Mr. Wilson.

DISCUSSION: Ms. Schaefer said that this meeting is right before the regular council meeting and is open to anyone who wishes to speak.

Upon roll call vote, the following was recorded: Mr. Bright, Mr. Bowers, Ms. Waldock, Mr. Wilson, Ms. Gleba, Mr. Hellett, Ms. Schaefer voted yes. **Motion carried.**

M-12 Ms. Gleba moved to authorize PNC Bank to prepare the necessary documents to obtain a \$350,000.00 loan at the interest rate of 2.42%. Second by Mr. Wilson.

DISCUSSION: Mr. Cecconi that the actual documents will be presented at the next meeting.

Upon roll call vote, the following was recorded: Mr. Bright, Mr. Bowers, Ms. Waldock, Mr. Wilson, Ms. Gleba, Mr. Hellett, Ms. Schaefer voted yes. **Motion carried.**

Ms. Schaefer announced that an Executive Session regarding personnel issues and potential litigation would be held.

VOLUNTEER FIRE DEPARTMENT

Mr. Halle said that a tour of Western PA School for the Deaf will take place to make sure the firefighter radios work inside the building.

According to Mr. Halle, there were 2-3 working structure fires in Rankin and Swissvale. The Parkway had multiple vehicles with extrication being required by the volunteers.

The luminaria will be on sale for pickup on Saturdays or will be delivered, if needed.

The Annual Christmas Party for the children was held.

Mr. Halle reported that during the heavy rains, two flooded basements were reported, one on Love Place and one on McKelvey Avenue.

The Edgewood Volunteer Fire Department has been covering Forest Hills as their rescue truck is out of service.

Ms. Waldock asked if there is a reimbursement for responding to calls. She also noted that the Edgewood Department is becoming a premier department.

Mr. Halle noted that a fire on South Braddock Avenue had 18 Edgewood Volunteer Fire Department members there.

WATER AUTHORITY REPORT

Mr. Fuller reported that the budget for 2011 will have no increase. He noted that the union contract expires December 31. Healthcare contributions are the major sticking point.

Of note, Mr. Fuller reported that 25% of bills sent go past 30 days and of that amount, one-half go past 60 days.

PLANNING COMMISSION

Ms. Waldock informed Council that another member is still needed and a meeting will be scheduled after the first of the year.

Ms. Schaefer said that it would be a good idea to touch base with Rankin about the adoption of the Joint Comprehensive Plan.

COG REPORT

Mr. Hellett had nothing to report.

LIBRARY REPORT

Ms. Waldock stated that the Library has passed its 2011 budget, with a \$5,000 reduction from the Borough. She also mentioned that the Pittsburgh Day of Giving was very successful. Ms. Waldock reported that the attorney for the C. C. Mellor Board of Trustees had provided a written opinion regarding

the process required to allow the Borough Council and Mayor to rescind its right to sit on the Library Board. To start the process, the Borough needs a resolution rescinding its right to appoint members to the Library Board of Trustees, and then the Council members and Mayor have to resign from the Board, allowing the Board to appoint new members and proceed to petition the Orphan's Court to change the Deed providing for the composition of the Library Board.

Solicitor Barry stated that the C. C. Mellor Library has been deemed to be the Borough-designated library and further stated that there should be a mechanism for communication with the Borough and the Library.

Ms. Waldock felt that a representative of the Library might be asked to come to the meetings.

SOLICITOR'S REPORT

Mr. Barry stated that it is his opinion that the mutual police aid and assistance between neighboring communities, if adopted, must be adopted by ordinance.

Ms. Schaefer said this will need to be discussed in Public Safety and the Committee of the Whole.

Mr. Barry stated that the law requires compliance.

BOROUGH MANAGER'S REPORT

Mr. Cecconi informed Council that the grant for Koenig Field was resubmitted. Senator Costa supported this request with a letter to the County.

RECREATION REPORT

Mr. Cecconi stated that basketball season will start soon and volunteers Mr. Cioppa and Mr. Hanchett will run the program.

NEW BUSINESS

Regarding the crossing guard situation, Mr. Hellett stated that he spoke with the Director of Transportation for the Woodland Hills School District. He then said that this should be reviewed in Public Safety Committee, along with Sgt. Kaskie and Officer Livingston. A discussion of the bus routes and stops ensued and Mr. Hellett said that he would review this more closely.

M-13 Mr. Hellett moved to accept the resignation of Mayor Jean O. Davin effective December 31, 2010. Second by Ms. Waldock.

DISCUSSION: None.

Upon roll call vote, the following was recorded: Mr. Bowers, Ms. Waldock, Mr. Wilson, Ms. Gleba, Mr. Hellett, Ms. Schaefer voted yes. Mr. Bright abstained, stating that he wanted to ask her why she is resigning. **Motion carried.**

Mr. Barry explained the nuances regarding a new appointment.

Ms. Waldock noted that she attended the University of Pittsburgh Institute of Politics series which talked about the deliberative polling process at CMU, results of which were published on the Allegheny Forum. The focus of the Allegheny Forum poll was the delivery of police services.

Ms. Waldock said that residents think that services will remain the same. She then said that the Senate and House leaders were asked what municipalities could expect in terms of help and the answer was that there will be little action taken by the state to assist municipalities due to limited funding. Ms. Waldock noted that the services which would be easiest to combine were sewer, water, ambulance and garbage.

ADJOURNMENT

M-14 Following an Executive Session which began at 8:52 PM and ended at 9:35 PM, it was moved by Ms. Waldock and seconded by Ms. Gleba to adjourn this meeting.

DISCUSSION: None.

Upon roll call vote, the following was recorded. Mr. Bright, Mr. Bowers, Ms. Waldock, Mr. Wilson, Ms. Gleba, Mr. Hellett, Ms. Schaefer voted yes. **Motion carried.**

Warren Cecconi, Borough Manager